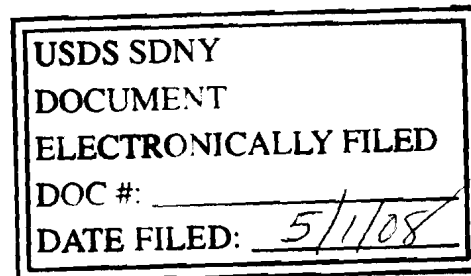


*Handwritten signature: Koetzl, J.*

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

.....  
LOUIS BARRY RUTLEDGE, x  
Plaintiff, :  
-against- :  
TRANSITCENTER, INC. and LARRY :  
FILLER, :  
Defendants. :  
..... x

INDEX NO. 07 CV 11267 (JGK)

**STIPULATION**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned attorneys for the parties herein, that:

1. Defendant Larry Filler hereby withdraws his motion to dismiss the complaint, which was filed with the Court on or about March 7, 2008;
2. Defendants consent to plaintiff filing the proposed Amended Complaint, which was served with as an exhibit to plaintiff's cross-motion on or about April 7, 2008; and
3. Defendants shall serve and file an answer to the Amended Complaint on or before May 12, 2008.

4. The parties agree that the Amended Complaint shall be deemed to have been served upon Defendants on or before April 7, 2008.

Dated: April 29, 2008  
New York, New York

SCOTT STEINER, P.C.

By: 

Scott J. Steiner  
2 William Street, Suite 302  
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*Attorney for Plaintiff*

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5/1/08 